Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-31 are pending in the application, with claims 1, 13, 15, and 27 being the independent claims. Claims 1-31 are sought to be amended. New claims 32-35 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 103

The Office Action indicates that claims 1-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,233,520 to Ito *et al.* (hereinafter "Ito"). (*See*, Office Action at p. 2.) Applicant respectfully traverses these rejections.

Regarding claims 1, 13, 15, and 27, amended independent claim 1 is representative and recites (emphasis added):

> A method of performing a proximity search, comprising the steps of:
>
> (a) receiving at least one ***proximity*** parameter defining a search area ***encompassing*** a ***predetermined*** position;
>
> (b) ***calculating*** a set of latitudes and longitudes approximating the search area ***based on*** the at least one ***proximity*** parameter; and
>
> (c) comparing the set of latitudes and longitudes to position information in a plurality of records stored in a database.

The Office Action contends that Ito, at column 4, lines 60-61, teaches "receiving a proximity parameter defining a search area encompassing a predetermined position[.]" (Office Action at ¶ 3.) Column 4, lines 60-61 of Ito recites: "request is such that a range of the map data is designated as a rectangular range in latitude and longitude. To be specific". While the latitude and longitude of Ito teach corner points of a rectangular area, they do not teach: (1) a ***predetermined position*** (2) ***encompassed*** by an area defined by (3) a ***proximity*** parameter. Furthermore, even if the ranges in latitude and longitude of Ito could, for sake of argument, be construed as proximity parameters, Ito still would not teach an encompassed predetermined position.

The Office Action concedes that Ito does not teach "calculating a set of latitudes and longitudes approximating the search area based on the proximity parameter." (Office Action at ¶ 3.) However, the Office Action contends that Ito, at column 6, lines 59-65 through column 7, lines 1-3, teaches "calculating the latitudes and longitudes position of the car in order to retrieve the display map. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to determine the location of the user in order to request the destination of the reference to the current location." (Office Action at ¶ 3.) Applicant traverses this interpretation of Ito.

Ito does not teach calculating the latitude and longitude of a car in order to retrieve the display map. Ito, at column 6, lines 62-67 through column 7, lines 1-3, teaches (emphasis added):

> The position computation is specifically that after the assessment of a location of vehicle detected by a GPS or the like, ***superimposed*** display of the location of vehicle is performed. To designate, for example, coordinates at the bottom left-hand corner (latitude and longitude) and at the top right-hand corner (latitude and longitude) of a rectangular range

> ***similarly to the first embodiment*** is one of the forms of the ***requests*** made by the navigation function section 12 to the data access section.

The first embodiment of Ito, at column 4, lines 54-61, teaches (emphasis added): "When display is ***requested by a user*** of the navigation system, the navigation function section 12 instructs the data access section 14 to read out necessary map data for display. . . . A form of the request is such that a range of the map is designated as a rectangular range in latitude and longitude."

In other words, Ito ***independently*** assesses the location of a car and displays map data corresponding to a defined rectangular area, and ***superimposes*** these in a single display. The rectangular area of the map is defined by the bottom left-hand corner and the top-right hand corner of the rectangle. These points are designated by their respective latitudes and longitudes, which are included in a request by a user, not based on the location of the car.

Furthermore, as explained above, Ito does not teach a proximity parameter and, therefore, cannot teach calculating a set of latitudes and longitudes based on a proximity parameter.

Accordingly, Applicant requests that the rejections under 35 U.S.C. § 103(a) be reconsidered and withdrawn for claims 1, 13, 15, and 27, and that these claims, along with their respective original dependent claims 2-12, 14, 16-26, and 28-31, and their respective new dependent claims 32-35 be passed to allowance.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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